



2020 Special Committee on Foster Care Oversight

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Acceleration of the Adoption Process and Improving Outcomes

Presented by:

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Testimony of:

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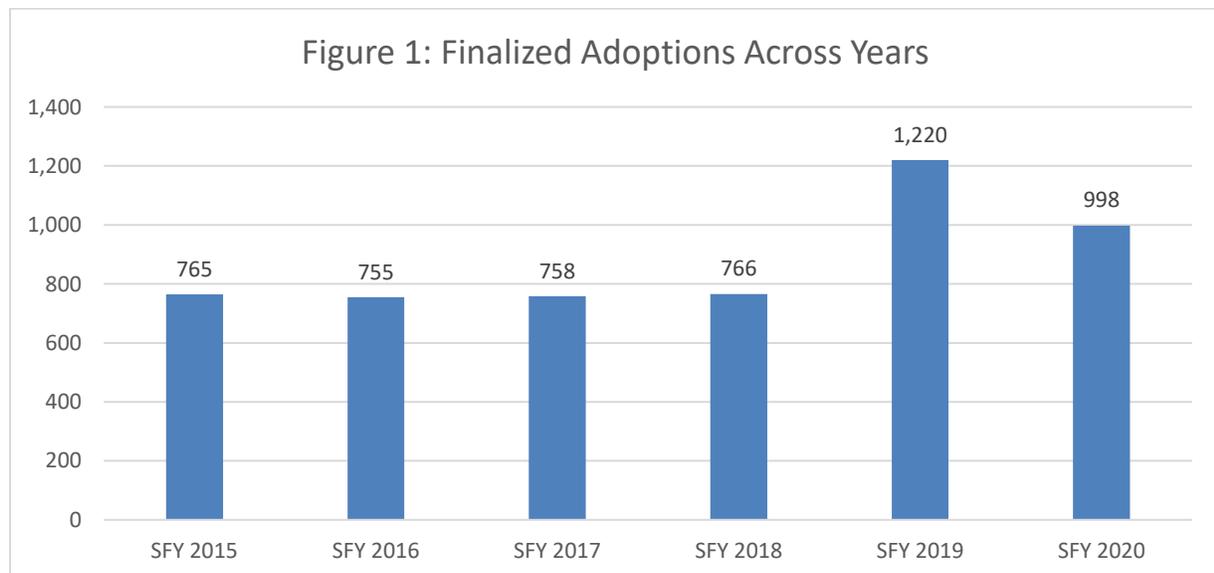
Kansas Department for Children and Families

Chair Concannon, Vice Chair Baumgardner, and Members of the Committee:

Thank you for allowing me the opportunity to provide information on efforts and outcomes for timely adoption as a legal permanency from foster care.

When a child comes into the custody of the Secretary of the Department for Children and Families, Child Welfare Case Management Providers work with the child, family and the family’s network of supports to resolve worries about safety so the child can return home. Most children and youth in care return home (59%). When it is not possible for a child to go back to the family, parental rights may be terminated by the court or voluntarily relinquished. At that point the child is available for adoption. Once all reunification efforts have been exhausted, often relative and foster families are approached about adoption of the child/youth in their care.

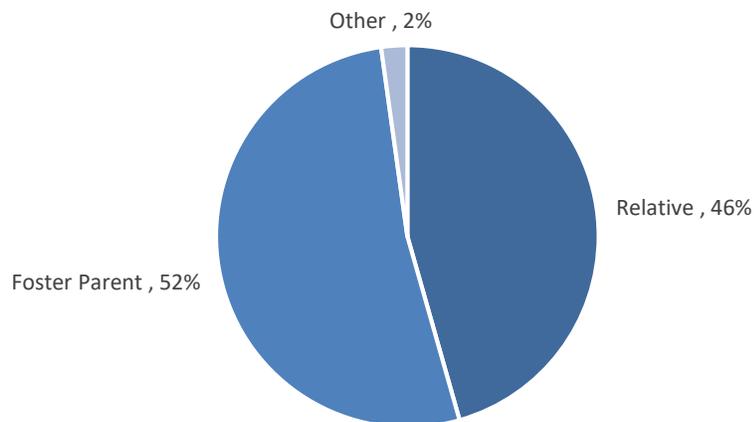
Adoptions have increased the past two years. In SFY 2020, there were 998 children and youth who ended foster care through the legal permanency of adoption (Figure 1) which is about 25% of all children whose foster care episode ended in SFY2020. The average age of a child at the time of the finalized adoption is 7 years with two-thirds of children adopted age 8 or younger (65%). The average length of time in care is 40 months and over half of children (57%) are adopted as part of a sibling group.



Adoption Process for Prospective Adoptive Parents

Nearly all adoptions are finalized with a relative or foster parent (Figure 2.) For prospective adoptive parents who are the current placement for the child to be adopted, their family worker assists them in completing the necessary items to proceed with an adoption including preparation of the best interest staffing packet of information. These tasks include updates to their home study, background checks and gathering supporting documents needed.

Figure 2: Adoptive Parent Relationship, SFY2020



Once the child is legally free for adoption and a prospective adoptive parent is identified, a Best Interest Staffing (BIS) is considered for scheduling to select the adoptive family that can best meet the needs of the child. It's estimated between 70-80% of adoptions involve only one prospective adoptive family. A formal convening of a Best Interest Staffing may be waived for a child legally free for adoption in certain conditions:

1. There is one potential identified adoptive resource who is a relative, non-related kin or foster family, and;
2. If the child is not placed with a relative, concerted efforts to identify, locate and evaluate maternal and paternal relatives as adoptive resources have been documented, and all are ruled out;
3. The child has been placed with the one identified resource for a minimum of 6 consecutive months with no disruptions.

If these attributes reflect the child's circumstances, it is within policy that the case management provider send notice and information such as a child's social history and the family's Assessment and Preparation Study to required BIS participants to request they provide any objection to waiving the BIS within seven (7) days of that notice. If any participant object, a formal BIS is scheduled. If no objection, the path to adoption proceeds.

In absence of a waiver, a BIS is arranged, and the case manager sends packets including the Adoptive Family Assessment for each potential adoptive resource being considered to participants who are part of the child’s planning team. Participants include youth age 14 and older, the child’s current and former Case Manager/Support Worker, Guardian ad litem; therapist or service provider; Court Appointed Special Advocate (CASA), Court Services Officer, other supports such as teachers or coaches, etc. Information on each family is presented and considered and a consensus reached on the family who can best meet the child’s needs. DCF policy was updated in October 2019 to reflect the consensus process of selection by the child’s support network. The attachment at the close of this testimony illustrates the BIS workflow.

Within 5 days of the BIS decision, notice of the decision is sent to the families. Families not selected at a BIS may request a BIS decision review in writing within 5 days of the notification of the non-selection. A designated independent reviewer within the case management organization completes the review. The purpose for the review is to identify the presence of policy error or omission during the process, or bias which unduly influenced the BIS decision. The independent reviewer shall have no connection and no conflict of interest regarding the family or child and shall demonstrate competencies in adoption and BIS staffing policy. Statewide data for SFY2019 reflects 21 requests for review. Reviews requested during SFY 2020 are in Table 1.

Table 1: # BIS Reviews Requested	SFY2020
Area 1 (SFM)	5
Area 2 (SFM)	6
Area 3 NE (KVC)	2
Area 4 SE (TFI)	1
Area 5 KC (CoC)	3
Area 6 KC (KVC)	2
Area 7 Sg Co. (SFM)	7
Area 8 Surrounding Wichita (TFI)	1
State	27

When the family currently providing care for the child is not a viable option for adoption, and there is not an identified resource, recruitment begins through other resource options. Families who are not related or already licensed who wish to adopt children in the custody of the Secretary complete steps of preservice training, either a TIPS-MAPP or Deciding Together class, which can be located through Children’s Alliance of Kansas at <http://childdaily.org>. From there, families work with a licensed Child Placing Agency (CPA) in Kansas to complete the necessary paperwork such as home studies, fingerprint-based background checks, budgets and other information. Once these tasks are done, families can begin matching with waiting children. Once the family feels

they have found a match through <https://www.adoptkaskids.org/> or another path, they work with their worker and the child's worker to request a Best Interest Staffing (BIS). Once a family is selected at the staffing, they can then read the child's file in its entirety with their worker providing support through the process. After this task is done, the family and the child or sibling group can meet and begin to get to know each other. Moving the child into the family home is entirely dependent on the circumstances of the child and can go very quickly or slower depending on the child's needs. Once the child or sibling set moves into the family home, usually they continue under the guidance of the child's agency anywhere from two to six months before finalization of the adoption.

Adopt Kansas Kids maintains and manages a statewide adoption resource exchange to match children in the custody of the Secretary of DCF with families prepared to meet their needs. By utilizing targeted and diligent recruitment strategies, Adopt Kansas Kids works to identify, educate and support potential adoptive families for the children photo listed and profiled on the adoption exchange. They also work to increase statewide awareness of the need for adoptive families for waiting children. As of August 2020, there are 532 children open on Adopt Kansas Kids awaiting a resource for adoption. The average age of these youth is 12 years, 62% are male, and 40% are in a sibling group.

Adoption assistance is a program designed to remove barriers to the adoption of children with special needs, who otherwise could not be adopted. The intent of the program is to assist the adoptive family in meeting the special and ordinary needs of a child. The types of assistance the child receives is determined before adoption finalization through a negotiation process with DCF staff. Assistance may include a special one-time payment, non-recurring expenses to provide for legal fees, or an ongoing monthly financial subsidy and health care coverage. In SFY21 it's estimated 8,444 children will receive the monthly assistance subsidy with \$454 as the negotiated average subsidy amount.

Accelerating and Improving Outcomes

In 2017, Casey Family Programs introduced DCF and case management agencies to a concentrated review process at the time being implemented nationally called Rapid Permanency Reviews (RPR) which led to an increase in adoptions in 2019. The process focuses on cohorts of children with the longest wait to permanency to understand and set action plans for specific barriers to legal permanency. Through analysis of baseline data, case reviews were set up for children in care two years or longer with a goal of adoption who were living in a family-based setting for deliberate discovery of technical barriers and action planning. Review "Go" teams were created to read about 200 children's circumstances. This review uncovered barriers and bright spots and helped DCF identify and remove barriers for a number of these children and adjust policy or procedure to streamline documents and communication so that adoption milestones progressed. The Rapid Permanency Reviews continue today and inspired

many tracking processes at intervals of 30, 60 and 90 days after child becomes legally free for adoption to assure timely progress with adoption.

Insights from implementation of the RPRs led to the creation of new positions to augment support to front line case managers for gathering and organizing steps and documents for adoption - whether updates to home studies for prospective adoptive families, background checks, final touches to a child's social history or tracking milestone dates to meet. With the positive impact of resources helping case managers during the RPR process five (5) Adoption Accelerator positions were added to the case management grants in July 2019 using federal adoption incentive funds awarded to Kansas. Two (2) positions were provided to St. Francis Ministries and one (1) position each for the other 3 case management agencies. These positions are non-case carrying positions dedicated to supporting work progress for children with a goal of adoption to assure no technical delays. Adoption accelerator duties impact:

- Timely completion of original and updated social histories: a significant amount of file mining and talking with placements and health providers about current and past needs of the child.
- Document navigation and tracking for families and removal of barriers especially if Interstate Compact for the Placement of children (ICPC) is a factor.
- Tracking case progress for timely outcomes - point out the need to expedite cases that are close to meeting outcomes.
- Ensure adoption paperwork readiness for the legal review process.
- Liaison with DCF regarding legal reviews.
- Affidavit preparation as needed.
- Timely birth and health records requests.
- Compile adoption placement agreement packets and adoption consent packets
- Monthly connections with reintegration supervisors to proactively prepare for cases nearing transfer to adoption.
- Development of training for writing social histories and adoption process.

Additional supports to improving adoption processes and outcomes include support from CPAs to families. DCF reimburses costs of adoption home studies to CPAs serving families who choose or have opportunity to adopt a child in foster care, but do not want to foster children in care. The Kansas Strong grant has a project implementing an adoption tracking tool. We have the Kansas Post Adoptive Resource Center and Adoption Exchange contracts you heard about from KCSL in earlier hearings and Kansas has a statewide caregiver's association grant and is increasing relative engagement.

Kansas is proud to have Governor Kelly as co-chair of the national 2020 Children's Bureau Adoption Call to Action challenge to ensure children and youth eligible for adoption are placed in safe, loving, and permanent homes. Through this initiative we have received technical assistance from federal partners and collaborators on emerging tools such as "push24" for timely adoption in 24 months and reinforcements to continue RPR's.

Supporting innovations such as adoption accelerators and other activities is the federal Adoption and Legal Guardianship Incentive Payments program. This federal program recognizes a State’s improved performance in helping children and youth in foster care find permanent homes through adoption and legal guardianship. The program was originally established as part of the Adoption and Safe Families Act of 1997 and has been reauthorized and revised several times most recently through fiscal year 2021 as part of the Family First Prevention Services Act. The financial award amounts are provided to states based on a formula of increased total adoptions, adoptions with special needs or a combination of these factors. The funds may be used to reinvest in programs to support children in care or prevent the need for foster care. Performance increasing adoptions has resulted in the following incentive awards across years:

FFY	FFY Grant Amount	Prior FFY Adoptions
2013	\$ 154,043	743
2014	-	659
2015	-	672
2016	\$ 442,500	745
2017	\$ 365,000	835
2018	\$ 4,000	658
2019	\$1,710,000	901

There are two federal Child and Family Services Review measures for states that our foster care case management providers have as performance outcomes in their grants. The first measure, which has improved over the past 3 years, looks at a state’s progress compared to national performance that 45.8% of children who are legally free for adoption have their adoption finalized within 12 months of becoming legally free for adoption. Statewide in SFY2020, Kansas was near national performance with 43.5% of children adopted within 12 months of becoming legally free for adoption with 4 of 8 case management areas exceeding national performance (Table 3, Figure 3.)

The second measure reflects progress with national performance that 26.8% of children adopted are adopted within 24 months of entering foster care. Statewide in SFY2020, Kansas was at 18.6% with case management Area 7 exceeding national performance (Table 3, Figure 4.)

Table 3: Statewide Timely Adoption Measures Across Years	SFY17	SFY18	SFY19	SFY20
Adopted within 12 months of being legally free for adoption (national performance is 45.8%)	40.0%	28.8%	39.3%	43.5%
Children adopted are adopted within 24 months of entering foster care (national performance is 26.8%)	22.2%	17.6%	17.0%	18.6%

Fig. 3 :Adopted within 12 months of being legally free for adoption

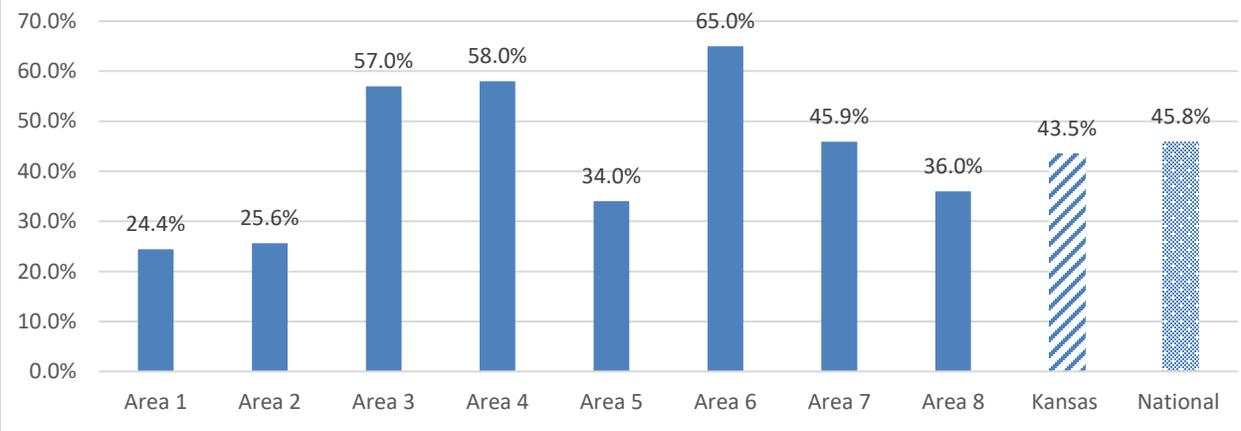
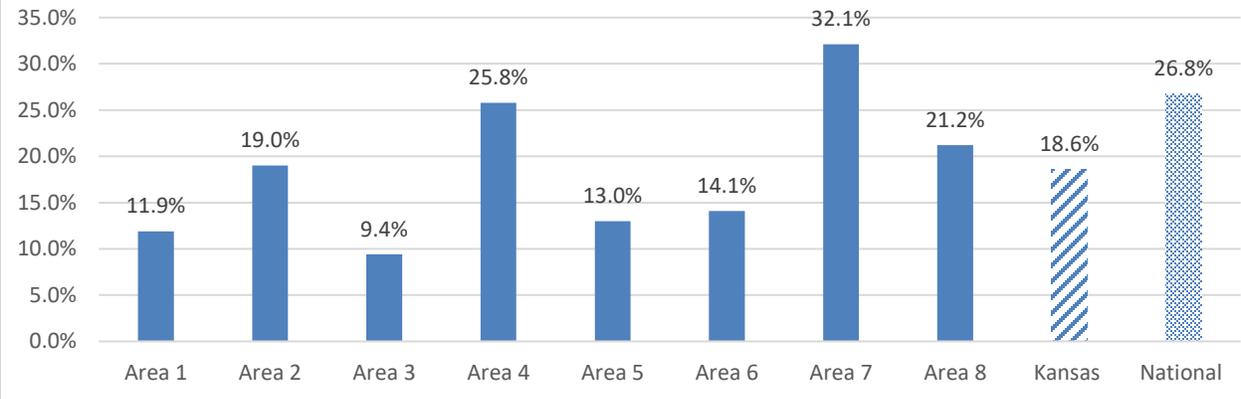


Fig. 4 Children adopted are adopted within 24 months of entering foster care

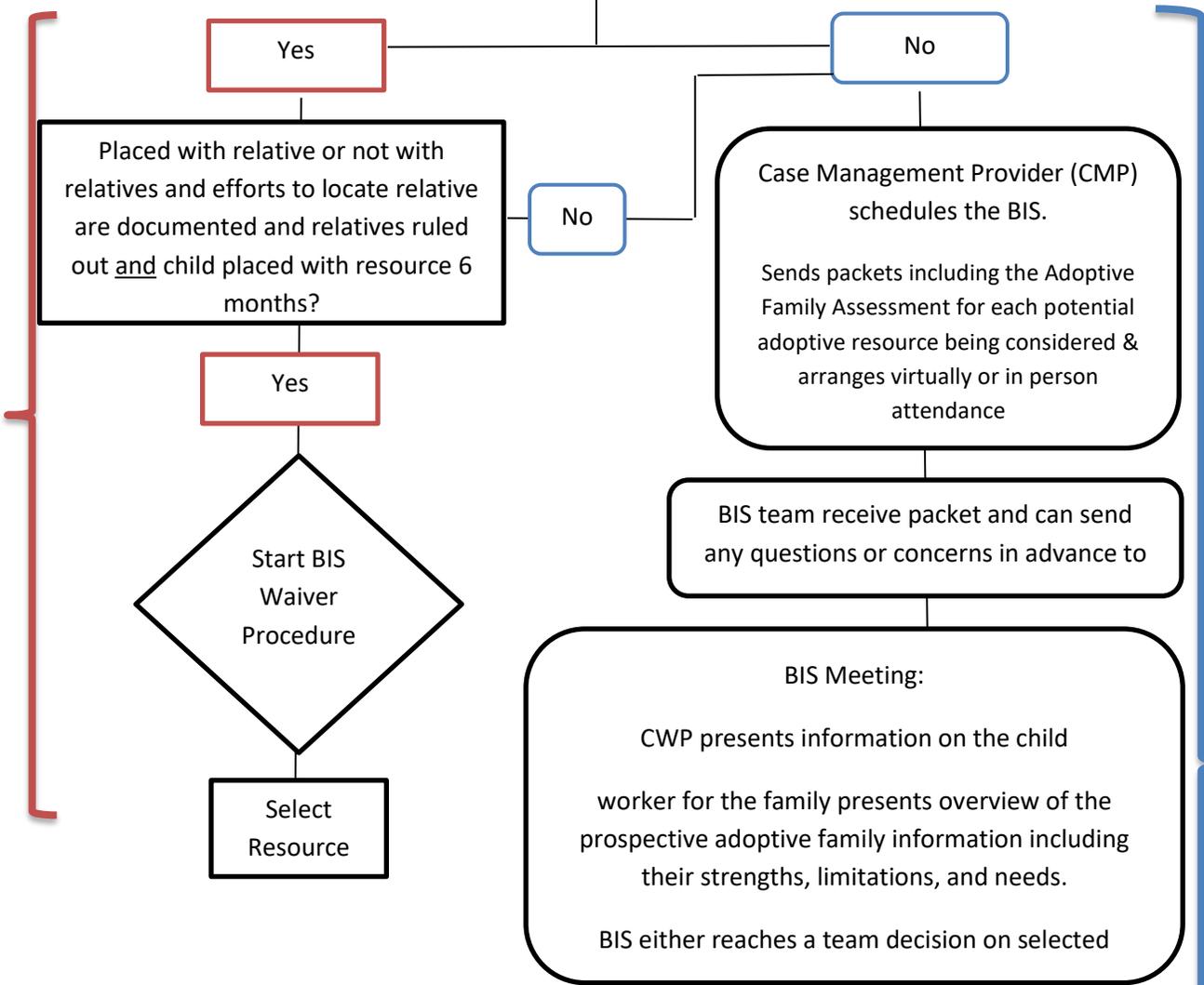


I've talked with you about agency efforts to accelerate adoptions. Going forward, we are also interested in ways to work more closely with the courts on further innovations. One example might be to pilot a National Infant-Toddler Court Program and Safe Babies Court Team™ approach which is a specialized support for children birth to three years of age in foster care, or at risk of removal, and their families. This evidence-based approach connects babies and their families with the support and services they need to ensure healthy development and aims to reduce the time a child spends in foster care before reaching a permanent safe home.

The SBCT approach is led by ZERO TO THREE implemented in more than 50 jurisdictions funded by the U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau, Division of Home Visiting and Early Childhood Services
<https://www.zerotothree.org/resources/series/national-infant-toddler-court-program> .

Thank you for the opportunity to provide information on the outcomes for children who have adoption as their permanency. We are excited about new practices and tools to support more adoptions for children who have the longest wait to permanency and assuring timely legal permanency for those whose goal is adoption. I am happy to answer any questions the committee may have.

Attachment BIS Flowchart
 Child is Legally Free for Adoption]
 Is There Only 1 Potential Adopter?



If additional information is needed to make a team decision, the BIS team reconvenes within 3 working days. If consensus is not achieved within 3 working days of the original BIS date, the CWCMP shall make the final decision regarding what is in the best interest of the child within 24 hours.

Within 5 days of the BIS staffing report decision, the CWP Program Director authorizes the selection and notice is provided to families.

Families not selected at a BIS or not authorized by the CWCMP may request review in writing within 5 days of the notification of the non-selection. When the CWCMP receives a request for review of the decision, within one working day the request shall be submitted to a designated independent reviewer with the CWCMP organization. The purpose for the review is to identify the presence of policy error or omission during the process, or bias which unduly influenced the BIS decision.

The foster care case manager schedule and provide notice to:

Child Age 14 and older
Child's current and former Case Manager/Support Worker;
Child's Guardian ad litem (GAL);
Child's therapist;
Court Appointed Special Advocate (CASA), if applicable;
Court Services Officer, if applicable;
Current placement resource, unless there is a conflict of interest, e.g. they are one of the families being considered;
DCF Foster Care Liaison;
Indian Child Welfare Act (ICWA) tribal representative for the affiliated tribe, if applicable
Other relevant service providers (medical, mentor, etc.)
Relatives and positive adult connections
Supervisors assigned
Teacher or other adult (coach, scout leader, youth pastor etc.);
Worker for each family being considered.

All participants are BIS Team members and receive Best Interest Staffing Brochure.
http://www.dcf.ks.gov/services/PPS/Documents/PPM_Forms/Appendices/Appendix_5S.pdf

The BIS team considers the ability of the resource to

meet the needs and temperament of the child currently and over time;
understand the current and future impact on their family of adopting this child recognize and advocate for the needs/interests of the child
understand and support the child through loss and grieving issues
recognize adoption is a life-long commitment with many unknown challenges
provide the child with a safe and secure environment;
provide unconditional love and acceptance of the child;
accept and incorporate the child's emotional, physical, social, educational, and developmental needs into the family;
demonstrate application of knowledge of the effects of deprivation, abuse and neglect on a child and the potential impact on the child's behavior;
encourage the child(ren) to develop at his/her own rate to reach his/her maximum potential;
accept and support the child's background, culture, ethnicity, heritage, race, medical and mental health needs, and genetic and social history;
help the child to learn and accept his/her background
understand the importance of planning and facilitating child/children's future contact with siblings and/or other family members as deemed appropriate;
manage their financial resources.
Discussion shall include the impact of separation, loss, attachment, and subsequent reattachments for the child. Discussion shall include the impact of the child on the prospective adoptive family and their children.